

TAB I: Assessing Responsiveness

version:2/22/2017

PROJECT:	Arcadia Avenue Area Water Line Improvements	Bid Date:	April 18, 2018
Department/Division:	Public Utilities / Water	Initial Apparent Low Bidder:	Darby Creek
Section:	Distribution	Initial Apparent Low Bid :	\$ 3,908,750.49

Bids from Apparent lowest to highest:		Apparent Low	2nd	3rd	4th	5th	6th
CIP No.	690236-100069	COMPANY NAME					
Project Manager:	Chris Scannell, P.E.	Darby Creek	Shelly & Sands	Elite Excavating			
Engineer's Estimate:	\$4,808,293.18	Initial Bid Amount					
		\$ 3,908,750.49	\$ 4,430,016.89	\$ 4,749,792.68			
		13.34%	7.22%	-100.00%			

PART IA: Responsiveness Criteria, General Provisions (329.20)		INPUT "YES" FOR POSITIVE RESPONSE OR "NO" FOR NEGATIVE RESPONSE (all "yes" answers needed for responsive bid)					
a	The bidder is pre-qualified responsible or prequalified provisionally responsible at time of bid due date. (329.20)(c)	YES	YES	YES			
b	The bid contains the full name of every person or company interested in the same and such other relevant information as the city agency deems appropriate. (329.20)(g) FORM B1	YES	YES	YES			
c	The bidder submitted, with bid, an affidavit stating: (1) That as of the date of bid submission, there have been no changes in the information disclosed in its application for responsibility prequalification; or (2) That changes in the information disclosed in the bidder's application for responsibility prequalification have been reported to director of finance and management or designee and that the bidder is still prequalified responsible or provisionally responsible. (329.20)(d) FORM B9	YES	YES	YES			
d	If applicable, the bidder listed a (sub)contractor(s) with an active water or sewer contractor tappers license (CMS 107.02)	YES	YES	YES			
e	Digital ID on bid is from a person authorized to enter into contract on behalf of the company ("name of person signing contract" on Signature Affidavit must match the name on the Digital ID). Proposal Signature Affidavit	YES	YES	YES			
f	There is no evidence of collusion among the bidders. (329.20)(e)	YES	YES	YES			
	BID IS:	RESPONSIVE	RESPONSIVE	RESPONSIVE			

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Engineer's Estimate:	\$4,808,293.18	Initial Bid Amount					
		\$ 3,908,750.49	\$ 4,430,016.89	\$ 4,749,792.68			

PART IB: Responsiveness Criteria, Subcontractors (329.20)		INPUT "YES" FOR POSITIVE RESPONSE OR "NO" FOR NEGATIVE RESPONSE (all "yes" answers needed for responsive bid)					
a	The bidder provided a list of subcontractors with bid or indicated there were not any subcontracting opportunities. (329.20)(h)(1) FORM B5	YES	YES	YES			
b	If subcontractors are listed, Bidder indicated which subcontractors are licensed construction trade subcontractors. (329.20)(h)(2) FORM B5 (If no licensed trade subcontractors are listed, enter "NA")	YES	YES	YES			
c	If licensed trade subcontractors are listed, the bidder proposed pre-qualified responsible or provisionally responsible licensed trade subcontractors. (329.20)(h) (If no licensed trade subcontractors are listed, enter "NA")	YES	YES	YES			
d	If subcontractors are listed, the bidder listed the division/section of work under which the sub is performing. (329.20)(h)(5) (If no subcontractors are listed, enter "NA") FORM B5	YES	YES	YES			
e	If subcontractors are listed and the bidder listed more than one subcontractor per division/section of work, did the bidder explain why more than one sub is listed for the division/section of work? (329.20)(h)(5) (If no licensed trade subcontractors are listed, enter "NA") FORM B5	NA	NA	NA			
f	Bidder stated, via affidavit, that its proposed licensed construction trade subcontractors are pre-qualified responsible or provisionally responsible. (329.20)(h)(3) Form B9 (If no licensed trade subcontractors are listed, enter "NA")	YES	YES	YES			
g	Bidder did not bid subcontractors who were currently suspended or debarred by the city. (329.20)(h)(4) (see links on Tab 5)	YES	YES	YES			
BID IS:		RESPONSIVE	RESPONSIVE	RESPONSIVE			

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Engineer's Estimate:	\$4,808,293.18	Initial Bid Amount					
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PART IC: Responsiveness Criteria, Bid Specific (329.23)		INPUT "YES" FOR POSITIVE RESPONSE OR "NO" FOR NEGATIVE RESPONSE (all "yes" answers needed for responsive bid)					
a	Bidder did not submit more than one bid for same work. (See referenced code section for full text.) (329.23)(f)(1)(a)	YES	YES	YES			
b	Bidder acknowledged addenda. (329.23)(f)(1)(e)	YES	YES	YES			
c	Bidder complied with technical pre-qualification requirements/specification requirements where applicable. (329.23)(f)(1)(c)	YES	YES	YES			
d	The bid contains no conditions or qualifications not provided in the invitation for bid. (329.23)(f)(1)(d)	YES	YES	YES			
e	Bidder added no provisions reserving right to accept or reject award. (329.23)(f)(1)(f)	YES	YES	YES			
f	Bidder submitted a bid guarantee. (329.23)(f)(1)(i) FORM B2	YES	YES	YES			
g	Bidder did not submit an irregular bid guarantee. (329.23)(f)(1)(i) FORM B2	YES	YES	YES			
h	Bid prices are materially balanced. (329.23)(f)(1)(b) FORM B3	YES	YES	YES			
i	Bid contains no irregularities or deviations from the bid that affect bid amount. (329.23)(f)(1)(j) and (329.23)(f)(1)(e)	YES	YES	YES			
j	Bidder submitted a unit price for each contract item listed, if required. (329.23)(f)(1)(g) FORM B3 (If a unit price is not an option, enter "NA")	YES	YES	YES			
k	Bidder submitted a lump sum price if required. (329.23)(f)(1)(h) FORM B3 (If lump sum is not an option, enter "NA")	YES	YES	YES			
l	Bidder has complied with section 329.20(h) regarding subcontractors. (329.23)(f)(1)(k) FORM B5	YES	YES	YES			
m	Bid does not contain alterations, omissions, errors, such that it does respond to the bid documents. (329.23)(f)(1)(j)	YES	YES	YES			
n	Bid responds to bid documents in all material respects. (329.23)(f)(1)(e)	YES	YES	YES			

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Project Manager:	Chris Scannell, P.E.	Darby Creek	Shelly & Sands	Elite Excavating			
Engineer's Estimate:	\$4,808,293.18	Initial Bid Amount					
		\$ 3,908,750.49	\$ 4,430,016.89	\$ 4,749,792.68			
o	Bid is complete. (329.23)(f)(1)(e)	YES	YES	YES			
	BID IS:	RESPONSIVE	RESPONSIVE	RESPONSIVE			

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Project Manager:	Chris Scannell, P.E.	Darby Creek	Shelly & Sands	Elite Excavating			
Engineer's Estimate:	\$4,808,293.18	Initial Bid Amount					
		\$ 3,908,750.49	\$ 4,430,016.89	\$ 4,749,792.68			

PART ID: Responsiveness Criteria, Contract Compliance	A "no" answer in Part IE will not necessarily render a bid non-responsive. Bidder must have a valid contract compliance no. prior to contract execution.					
a	The "Evaluated Low Bidder" has an active contract compliance number at the time of bid.	NO	YES	YES		

Bid Responsiveness, Waiver Considerations:	Bid Responsive, Continue to Part II	Bid Responsive, Continue to Part II	Bid Responsive, Continue to Part II	Waiver Legislation Required to Contract; Contact Fiscal Office	Waiver Legislation Required to Contract; Contact Fiscal Office	Waiver Legislation Required to Contract; Contact Fiscal Office
Proceed to Part II?	YES	YES	YES			

LOWEST RESPONSIVE BID, TAB I	\$ 3,908,750.49	Manually Enter Amount
LOWEST RESPONSIVE BIDDER, TAB I	Darby Creek	Manually Enter Information

TAB II: Assessing Responsibility

PROJECT:	Arcadia Avenue Area Water Line Improvements	Bid Date:	April 18, 2018
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Department/Division:	Public Utilities / Water	Responsive Low Bidder (from Tab I):	Darby Creek
Section:	Distribution	Responsive Low Bid (from Tab I):	\$ 3,908,750.49

CIP No.	690236-100069	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME
Project Manager:	Chris Scannell, P.E.	Darby Creek	Shelly & Sands	Elite Excavating	NA	NA	NA
Engineer's Estimate:	\$ 4,808,293.18	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount
		\$ 3,908,750.49	\$ 4,430,016.89	\$ 4,749,792.68	0	0	0

PART IIA: 329.23 (2) Responsibility Criteria		INPUT "YES" FOR POSITIVE RESPONSE OR "NO" FOR NEGATIVE RESPONSE (1 point for each "yes", 0 for "no")					
a	Based on bid amount (as compared to other bids) no further documentation needed (i.e., bid statistically comparable to others). FORM B3, SPECIFICATIONS	YES	YES	YES			
b	The bidder has demonstrated to the city's satisfaction adequate and appropriate SPECIALIZED EQUIPMENT for the project. FORM B6, SPECIFICATIONS	YES	YES	YES			
c	The bidder has demonstrated to the city's satisfaction adequate and appropriate HUMAN RESOURCES for the project. FORM B6, SPECIFICATIONS	YES	YES	YES			
d	The bidder has actively engaged in the construction industry. FORM B7	YES	YES	YES			
e	The bidder has experience in the area of construction service for which the bid has been submitted. FORM B7	YES	YES	YES			
f	The bidder has a successful record of complying with and meeting completion deadlines. FORM B7	YES	YES	YES			
g	The bidder has a successful record of controlling costs on similar construction projects. FORM B7	YES	YES	YES			
h	The bidder has no (substantial) uncompleted work that would hinder the success of the project. FORM B8	YES	YES	YES			
Responsibility Score:		8	8	8	0	0	0
Continue to TAB 3?		YES	YES	YES			

↑
Manually Enter Information

TAB III. Assessing Local Bidder

PROJECT:	Arcadia Avenue Area Water Line Improvements	Bid Date:	April 18, 2018
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Department/Division:	Public Utilities / Water	Evaluated Low Bidder (from Tabs I and II):	Darby Creek
Section:	Distribution	Evaluated Low Bid (from Tabs I and II) :	\$ 3,908,750.49

CIP No.	690236-100069	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME
Project Manager:	Chris Scannell, P.E.	Darby Creek	Shelly & Sands	Elite Excavating	NA	NA	NA
Engineer's Estimate:	\$ 4,808,293.18	Bid Amount	Bid Amount	Bid Amount	Bid Amount	Bid Amount	Bid Amount
		\$ 3,908,750.49	\$ 4,430,016.89	\$ 4,749,792.68	NA	NA	NA
PART III: 329.(01)(u) and 329.212 Local Bidder							

IS BID LOCAL?	NO	YES	NO			
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To look up if a bidder is local, use the Office of Construction Prequalification's list located at [X:\Construction Prequalification](#)

PART IIIA:	
step 1	<p>IF <u>APPARENT LOW BID IN PART II IS LOCAL</u>, STOP. Skip steps 2-5 and enter data in Steps 6 & 7 and continue to TAB IV.</p> <p>IF <u>APPARENT LOW BID IN PART II IS NOT LOCAL</u>, CONTINUE TO TO STEP 2 (see above for apparent low bid and bidder information)</p>

Part IIIB:							
step 2	Percentage difference of bid from apparent NON-LOCAL, LOW BID.	0.000%	13.336%	21.517%	NA	NA	NA
step 3	Is amount in prior step WITHIN ONE PERCENT (1%) OF THE LOW BID?	YES	NO	NO	NA	NA	NA
step 4	If <i>step 3</i> is "yes", SEE PROCEDURES ON SHAREPOINT SITE. DID AGENCY FOLLOW PROCEDURES FOR BIDDER RELATING TO CITY CODE SECTIONS 329.212 (INDICATE IF NA)?						
step 5	INPUT NEW BID AMOUNT FOR BIDDER, IF APPLICABLE, OR ZERO (\$0)						

Part IIIC:			
step 6	REVISED LOW BID AMOUNT, TAB IIIB:	\$ 3,908,750.49	Manually Enter Amount
step 7	REVISED LOW BIDDER, TAB IIIB:	Darby Creek	Manually Enter Information

TAB IV. Calculating Environmental Preference

PROJECT:	Arcadia Avenue Area Water Line Improvements	Bid Date:	April 18, 2018
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Department/Division:	Public Utilities / Water	Evaluated Low Bidder (from Tabs I, II and III):	Darby Creek
Section:	Distribution	Evaluated Low Bid (from Tabs I, II and III) :	\$ 3,908,750

CIP No.	690236-100069	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME
Project Manager:	Chris Scannell, P.E.	Darby Creek	Shelly & Sands	Elite Excavating	NA	NA	NA
Engineer's Estimate:	\$ 4,808,293.18	Bid Amount	Bid Amount	Bid Amount	Bid Amount	Bid Amount	Bid Amount
		\$ 3,908,750.49	\$ 4,430,016.89	\$ 4,749,792.68	NA	NA	NA
PART IV: 329.(17) Environmental Preference							
Apparent Low Bid:	\$ 3,908,750.49	Apparent Low Bidder:	Darby Creek				

PART IV: 329.(17) Environmental Preference							
step 1	Did apparent/evaluated low bidder submit "environmentally preferable" bid? Answer "YES" or "NO" for apparent low bidder. For all other bidder's, input "NA"	YES	NA	NA			
step 2	Excluding apparent low bidder, did bidder submit "environmentally preferable" bid?	NA	YES	YES			
step 3	STOP. If apparent/evaluated low bidder submitted an environmentally preferable bid, then the apparent/evaluated low bidder is lead bidder for Tab 4. Ignore the data in Steps 4-6, complete Step 7, and proceed to Tab 5. If the apparent/evaluated low bidder did not submit an environmentally preferable bid, proceed to Steps 6 and 7.						
step 4	Calculate environmental preference for each bid. It is up to five percent (5%) of the non-environmental low bid, for a maximum of \$20,000 per bid.	0.000%	13.336%	21.517%	NA	NA	NA
step 5	Preference amount for each eligible bid (if 0, then no environmental preference was applied).	\$ -	\$ 20,000.00	\$ 20,000.00	NA	NA	NA
step 6	Bid amount less environmental preference, except if both claim environmental preference: in that case, both claiming EP cancels it for both	\$ 3,908,750.49	\$ 4,410,016.89	\$ 4,729,792.68	NA	NA	NA
step 7	Low Bid Amount: \$ 3,908,750.49	Low Bidder: Darby Creek					

↑
Manually Enter Amount

↑
Manually Enter Information

TAB V. Miscellaneous

Apparent Low Bidder/Bid:	Darby Creek	\$ 3,908,750.49
Project:	Arcadia Avenue Area Water Line Improvements	

Other "responsible" requirements 329.23(f)(2)(e)

With respect to a bidder whose bid is determined to be 10% or more below that of the next lowest bidder, [do they have] supplemental details regarding the bid and/or historical information regarding performance and costs on similar contracts to demonstrate the bidder's ability to complete the contract at the price specified.

Bidders	Darby Creek	Shelly & Sands	Elite Excavating	0	0	0
Bid	\$ 3,908,750.49	\$ 4,430,016.89	\$ 4,749,792.68	\$ -	\$ -	\$ -
Percent Difference btwn Bid and Next Highest Bid	13.34%	7.22%	-100.00%			

Is any bidder 10% or more below the next bidder?

YES
YES

If yes, does the lower bidder's TAB 2 evaluation have 'yes' answers for questions c, d, g, and h?

If yes, low bidder is "responsible" under this provision.

Bid Guarantee Requirements

Below are the required documents for each bid guarantee type allowed.

Is the guarantee greater than or equal to 10% of the bid?

YES
YES

Did the bidder submit all of the required documents based upon the guarantee submitted?

Bid Bond

Bond on City's bond form

Surety power of attorney

Most recent surety financial statement

Current Ohio Dept. of Insurance Certificate of Compliance

Contract Compliance

Are all subcontractors contract compliant? Required before the contract can be executed.

YES

If there are not any subcontractors, choose N/A.

Foreign/Non-Ohio Corp

Is the corporation foreign or the individual or partnership a non-resident of the State of Ohio?

NO
N/A

If yes, business entity shall register with the Ohio Secretary of State's Office for the purpose of accepting service of summons, in any action in law or equity, or both, brought in the State of Ohio.

This is required before the contract is awarded. "Awarded" means before the Director accepts/approves the bid <http://www.sos.state.oh.us/>

Award recommendation: After evaluation of the bids, I recommend the following contractor be awarded the contract for:

Project Name:	Arcadia Avenue Area Water Line Improvements
Recommended Bidder:	Darby Creek Excavating, Inc.
Contract Amount:	\$ 3,908,750.49

Evaluator's Name:	Missy Smith
Evaluation Completion Date:	4/20/2018

TAB 6: U.S. and Ohio EPA Requirements

version: 2/22/2017

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Section:	Distribution	Initial Apparent Low Bid :	\$ 3,908,750.49

Bids from Apparent lowest to highest:		Apparent Low	2nd	3rd	4th	5th	6th
CIP No.	690236-100069	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME	COMPANY NAME
Project Manager:	Chris Scannell, P.E.	Darby Creek	Shelly & Sands	Elite Excavat.			
Engineer's Estimate:	\$ 4,808,293.18	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount	Initial Bid Amount
		\$ 3,908,750.49	\$ 4,430,016.89	\$ 4,749,792.68			
		13.34%	7.22%	-100.00%			
Responsiveness Criteria, WPCLF/WSRLA Compliance		A "NO" answer will not necessarily render a bid non-responsive. Bidder must have all forms completed and required information submitted prior to contract execution. Delay in providing this information may result in delay of loan award and affect project schedule.					
FORM B10	The "Evaluated Low Bidder" has completed, signed, and returned the Contractor Equal Employment Opportunity (EEO) Certification Form	Yes	Yes	Yes			
FORM B11	The "Evaluated Low Bidder" has completed, signed, and returned the US EPA Certification Regarding Debarment, Suspension, and Other Responsibility Matters Form	Yes	Yes	Yes			
FORM B12.2	The "Evaluated Low Bidder" has provided a completed and signed US EPA Form 6100-3 from each proposed subcontractor	Yes	Yes	No			
FORM B12.3	The "Evaluated Low Bidder" has completed, signed, and returned US EPA Form 6100-4	Yes	Yes	No			
GOOD FAITH EFFORTS	The "Evaluated Low Bidder" has NOT met the EPA Disadvantaged Business Enterprise (DBE) Utilization Goals of 1.3% MBE and 1.0% WBE, so documentation of Good Faith Efforts to solicit DBE participation has been provided.	NA	NA	Yes			
FORM B14	The "Evaluated Low Bidder" has completed, signed, and returned the American Iron and Steel (AIS) Acknowledgement Form	Yes	Yes	Yes			

LOWEST RESPONSIVE BID, TAB I	\$ 3,908,750.49	← Manually Enter Amount
LOWEST RESPONSIVE BIDDER, TAB 6	Darby Creek	← Manually Enter Information

TAB VII: Notes

Overall bid questions:

PM's responses:

(IC-c) 1. Are there any technical requirements / specifications required? If so, does the lowest bidder meet them?

Yes, low bidder meets all technical requirements.

Darby Creek:

(IIA-a) 1. PM, lowest bid is 18.71% lower than the Engineer's Estimate and 13.3% lower than the next lowest bidder. May want to verify pricing with vendor. Marked "Yes".

See below from Recommendation Letter:

Although this bid varies by the engineer's estimate of \$4,808,293.18 by more than 10%, Darby Creek Excavating has demonstrated experience in this area of construction, has a successful record of meeting completion deadlines, and has demonstrated ability to control costs on similar construction projects.

Elite Excavating:

Tab 6: 1. No MBE participation. Listed K. Davis (WBE & EDGE) but since we know Rath is WBE, they cannot be counted toward the EDGE.

Other Bidders:

Danbert, Inc.	\$4,763,160.63
Fields Excavating, Inc.	\$5,186,928.49
Facemyer Company	\$5,208,536.34